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Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
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Draft report

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V. Working methods of the Special Committee and identification of new subjects

A. Working methods of the Special Committee

1. The issue of the working methods of the Special Committee was addressed by several delegations during the general exchange of views held at the 284th and 285th meetings of the Special Committee, on 21 and 22 February 2017, and was considered at the 3rd meeting of the Working Group of the Whole.

2. During the general exchange of views, several delegations stressed that the Special Committee played an important role in the clarification and interpretation of provisions of the Charter of the United Nations and that there was a need to reinvigorate its work. Delegations also emphasized the role of the Special Committee in assisting in the revitalization and strengthening of the Organization, and in the reform process, in accordance with General Assembly resolution 3499 (XXX). The adoption of Assembly resolution 71/147, on the commemoration of the seventieth anniversary of the International Court of Justice, was recalled as a recent tangible result of the work of the Special Committee. A number of delegations also highlighted the adoption of the Manila Declaration on the Peaceful Settlement of International Disputes as one of the major achievements of the Special Committee.

3. Several delegations continued to urge the Special Committee to consider, on a priority basis, ways and means of improving its working methods and better using its resources, and to fully implement the decision on working methods adopted in 2006, as reflected in paragraph 3 (d) of General Assembly resolution 71/146. The Special Committee was encouraged to examine the frequency and duration of its meetings, and to consider meeting every two years or shortening its sessions. Delegations also reiterated that the work of the Special Committee should be

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reviewed in order to ensure that it added value, that the overlap between organs considering the same or similar issues was minimized and that items that had been or were being considered elsewhere in the Organization were not duplicated by the Special Committee. It was also suggested that questions and proposals that did not enjoy the consensus of Member States should be removed from the agenda of the Special Committee.

4. It was highlighted that several items in the agenda of the Special Committee could benefit from careful scrutiny and needed to be meaningfully considered and debated by the Committee. Several delegations reiterated that the full execution of the mandate of the Special Committee depended on the political will of States and on the full and effective implementation of the methods of work of the Committee. The view was expressed that the working methods of the Special Committee should be guided by the substance of its work. It was also observed that the work of the Special Committee should be directed primarily at ensuring that the Organization lives up to the goals of the rule of law and justice.

5. At the 3rd meeting of the Working Group of the Whole, it was suggested that one full session of the Working Group be allocated to the consideration of the issue of sanctions, and that the Bureau, with the assistance of the Secretariat, should afterwards circulate to delegations a non-paper containing the outcome of the discussion. It was also suggested that the report of the Special Committee should distinguish between the views of delegations expressed during the general exchange of views and those expressed in the Working Group of the Whole.

B. Identification of new subjects

6. The issue of the identification of new subjects was considered during the general exchange of views held at the 284th and 285th meetings of the Special Committee, on 21 and 22 February 2017, and at the 3rd meeting of the Working Group of the Whole.

7. During the general exchange of views, a number of delegations recalled proposals made at previous sessions of the Special Committee and called for their meaningful consideration. Some delegations expressed particular support for the recent proposals relating to the maintenance of international peace and security. Several delegations stated that the Special Committee could contribute to the examination of legal matters relating to the reform and revitalization of the Organization and its organs, including issues surrounding the roles and prerogatives of the General Assembly and the Security Council.